

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

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**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) <b>04 -05- 2005</b>
Applicant's or agent's file reference <b>W 4842-0027 LK/md</b>		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/SE2005/000067</b>	International filing date (day/month/year) <b>24.01.2005</b>	Priority date (day/month/year) <b>30.01.2004</b>
International Patent Classification (IPC) or both national classification and IPC <b>F16L 5/02</b>		
Applicant <b>Roxtec AB et al</b>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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WRITTEN OPINION OF THE  
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International application No.

PCT/SE2005/000067

Box No. I Basis of this opinion

AUS Rec'd PCT/PTO 27 JUL 2006

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language, \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

## a. type of material

- a sequence listing  
 table(s) related to the sequence listing

## b. format of material

- in written format  
 in computer readable form

## c. time of filing/furnishing

- contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.

3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

## 4. Additional comments:

**WRITTEN OPINION OF THE  
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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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**1. Statement**

Novelty (N)	Claims	<u>5 - 8</u>	YES
	Claims	<u>1 - 4 , 9</u>	NO
Inventive step (IS)	Claims	<u>7 , 8</u>	YES
	Claims	<u>1 - 6 , 9</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 9</u>	YES
	Claims		NO

**2. Citations and explanations:**

Reference is made to the following documents:

D1: DE 4218130 A1

D2: WO 9611353 A1

Regarding the claims also refer to Box VIII.

From document D1, see figure 1, a device for cable laying through walls is known. The device includes a compression unit (16, 17, 20-25) and compressible units (11-15) for pipe penetration, placed within a frame (1). The compression unit is to abut against two inner corners of the walls of the frame, and includes supplemental parts (24, 25) which adapt the form of the compression unit to the frame (1). Thus, features giving characteristics to the device and method defined in independent claims 1 and 9 are known from document D1 and therefore it must also be considered obvious for a person skilled in the art to adapt a compression unit and to the frame where it is placed.

Consequently, the subject matter of claims 1-4 and 9 is previously known and therefore lacks novelty.

The invention according to claim 5 and 6 differs from the device in D1 in that how the device is operated to bring pressure. However, from document D2 such a pressure bringing device is known. Shown in document D2 is, see figure 1, 2 and 5, a compression unit using four compressible wedges (11, 12, 15, 16) which grip cable in mounting frame (10) and which interact with each other when screw adjusters (17, 18) are tightened, corresponding to subject matter defined in claim 5 and 6 in the application. It is considered to be obvious for a person skilled in the

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

art to use the teachings of D2 together with prior art as specified in D1 in order to achieve a compression unit according to the invention claimed in claim 5 and 6.

Thus, the device as claimed in claim 5 and 6 lacks an inventive step. Also note the description of the application on page 2, lines 1-4, where it is said that: "The exact design of the compression unit is of no importance for the invention as such."

The invention is industrially applicable.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawing or on the question whether the claim are fully supported by the description, are made:

Regarding independent claims 1 and 9 note that the words "optional" and "if needed" do not add any technical features to characterize and distinguish the defined device or method.

The term "the component" used in claims 7 and 8 is vague and unclear and leaves the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claims unclear (Article 6 PCT). According to the description this term seems to be referring to the compression unit (1).